

Par. 1. **Material Transmitted and Purpose** --Transmitted with this Manual Letter is Revised Service Chapter 619-01, Interstate Compact on the Placement of Children Policies and Procedures. Note that new language has been red underlined and old language which is deleted has been struck through. PI-09-03 has been superseded.

Placement decision doesn't have to be made within time period.

**619-01-12-01. Home Study Related Provisions: (Related to Interstate Compact Cases)**

All states are required to complete and report interstate foster and adoptive home studies requested by another State within 60 days. ~~An exception to the 60-day requirement is provided if the State cannot complete the home study due to circumstances beyond the State's control; i.e. delays in receipt of criminal background checks. This exception gives the State 15 more days to complete and report on the home study. Further,~~ States are permitted to contract with a private agency to conduct the home study. A decision for placement does not have to be made within this time period.

The State that requested the home study must accept the completed home study as meeting any requirements imposed by the State unless, within 14 days of receiving the report, the State determines that reliance on the report would be contrary to the child's welfare.

The parts of the home study involving education and training of prospective foster and adoptive parents do not have to be completed within the 60- ~~(or 75)~~ day timeframe.

Add a new paragraph to the end of the section.

**619-01-15-02. Supervision of Children Placed by a Sending State via the ICPC**

If the child's needs continue to be unmet, the receiving State may require the child to be returned to the sending State. Before requiring the return, the receiving State must take into consideration the negative impact on the child that may result from being removed from his or her home. The

negative impact should be weighed against the potential benefits to the child of being returned to the sending State. Ultimately, the receiving State has sole discretion in determining whether or not to require return of a child to the sending State.

New section added.

**619-01-25-15. Procedure for Initiating a Regulation 1 – Conversion of Intrastate Placement into Interstate Placement; Relocation of Family Units**

A placement initially intrastate in character becomes an interstate placement subject to ICPC if the child's principle residence is moved to another state.

This regulation addresses the referral and approval process for placement of a child in another state when the sending state has already approved the placement and the family now wishes to move to another state. The intent of Regulation 1 is to ensure that an already safe and stable placement made by a sending agency in the sending state will continue if the child is relocated to the receiving state. Additionally, it is the intent of this Regulation for supervision of the placement to be uninterrupted, for the family to comply with the requirements of the receiving state, and for both states to comply with all applicable state and federal laws, rules, and regulations.

Temporary Relocation:

If a child is brought into the receiving state by an approved placement resource for a period of 90 days or less, and remains with the approved placement resource, approval of the receiving state is not required. Either the sending or receiving state may request approval of the placement, and, if the request is made, the sending and receiving states shall take the necessary action to process the request, if agreed to by both states.

Supervision by the receiving state is not required for a temporary relocation of 90 days or less; however, supervision may be provided as a 'courtesy' to the sending state. If supervision is requested, the sending state shall provide a 100B form, as well as additional information listed under provisional approval. If the receiving state cannot provide supervision for a temporary placement, it is the sending state's responsibility to supervise the placement.

The custodial agency in the sending state is ultimately responsible to ensure the ongoing safety of the child placed in a receiving state. This includes the return of the child to the sending state as soon as possible if requested by the receiving state.

Provisional Approval:

In any instance where the decision to relocate into another state is made or it is intended to send or bring the child to the receiving state, or the child and existing family unit have already been sent or brought into the receiving state, the following documentation must be provided in an ICPC referral:

1. SFN 965, "Interstate Compact Application Request to Place Child," 100A, fully completed.
2. A form 100B, if the child is already present in the receiving state.
3. A copy of the most current court order giving placement and care responsibilities to the sending agency.
4. A case history for the child, including social history, chronology of court involvement, social dynamics, and a description of any special needs of the child.
5. If the family is a licensed foster parent, a copy of the most recent license and foster care home study.
6. Copies of the progress reports on the family unit for the last six months.
7. A copy of the child's case plan/permanency plan, if the child has been in case long enough for such a plan to be required.
8. Documentation of the child's Title IV-E eligibility status.

The receiving state may request and shall be entitled to receive originals or duly certified copies if it considers them necessary for a legally sufficient record under its laws.

Initial Home Study Report:

Pursuant to the Safe and Timely Interstate Placement of Foster children Act of 2006, within 60 days after receiving the home study request, the receiving state shall conduct, complete, and return a report to the sending state on the results of the study of the home environment for purposes of assessing the safety and suitability of the child to remain in the home. The report will address the extent to which placement in the home would meet the needs of the child. In the event the parts of the home study involving education and training for the placement resource remain incomplete, the

report shall reference such items by including a prospective date of completion.

Approval of the request may be conditioned upon compliance by the placement resource with any licensing or education requirement in the receiving state. If there is a condition, a reasonable date for compliance will be identified in the documentation granting approval.

Final Approval or Denial:

Final approval or denial of the ICPC request will be provided by the receiving state compact administrator as soon as practical but no later than 180 days from receipt of the initial home study request.

Supervision:

Within 30 days of being notified that the placement resource and child have arrived in the receiving state, the receiving state shall visit the child and family in the home to ascertain conditions and progress toward compliance with applicable federal and state laws, as well as the requirements of the receiving state. Subsequent supervision must include face-to-face visits with the child at least once each month. The majority of these visits must occur in the child's home. Face-to-face visits must be performed by a child welfare caseworker in the receiving state. Supervisory visits will continue until supervision is terminated by the sending state. The receiving state's compact administrator must agree with the termination of supervision. Reports of supervision visits will be provided to the sending state as requested.

Par. 2. Effective Date – October 1, 2010